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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/527,928	03/16/2005	Werner Huber	BEET-10	8591

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EXAMINER
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TANG, MINH NHUT

ART UNIT	PAPER NUMBER
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2829

DATE MAILED: 04/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/527,928	<b>Applicant(s)</b> HUBER, WERNER	
	<b>Examiner</b> Minh N. Tang	<b>Art Unit</b> 2829	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 18-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/16/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on March 16, 2005 is considered by the examiner.

### ***Specification***

3. The Preliminary Amendment filed on March 16, 2005 has been entered.
4. The abstract of the disclosure is objected to because the form and legal phraseology often used in patent claims, such as "comprising", "means" and "said" should be avoided. Furthermore, "tester" (line 4) should be -- tester --. Correction is required.
5. The disclosure is objected to because of the following informalities:
  - a/ the reference to claim numbers on page 1, line 7 and page 2, lines 29-31.
  - b/ on page 7, line 3, "single plate (3)" should be -- single plate (4) --.Appropriate correction is required.
6. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 18-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 18, there is insufficient antecedent basis for the limitations "the one side" (line 2) and "the other side" (line 3). It is not understood "the one side" and "the other side" are the sides of which element, and the relationship between "the one side" and "the other side" is not clearly defined. It is not understood what is meant by "it" (line 3). Furthermore, the limitation "which are slidable against each other in the x and/or y and/or z direction and are lockable" is unclear because it is not understood which elements (i.e., the single plates for the tester and the handler, the three or more single plates, or all of the single plates) are slidable and lockable.

In claim 19, lines 1-2, the limitation "the slidability of the single plates" is unclear because it is not understood which elements (i.e., the single plates for the tester and the handler, the three or more single plates, or all of the single plates) are slidable.

In claim 20, it is not clear "the single plates" (two terms in lines 2 and 3) referred to which plates (i.e., the single plates for the tester and the handler, the three or more single plates, or all of the single plates). It is not understood what is meant by "it" (line 2) and "with which" (line 3).

In claim 21, a limitation followed by linking terms (e.g., can be, preferably, maybe, for instance, especially) is considered indefinite since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired; therefore "can be" (two terms in lines 2 and 5) should be -- is --. It is not clear "this apertured

plate" (lines 2-3) referred to which plate (i.e., the apertured plate or the exchanged apertured plate). It is not understood what is meant by "the same apertured plate" (line 4). There is insufficient antecedent basis for the limitation "the new handler" (line 8). Furthermore, the limitation in the parentheses is not given weight (i.e., base(s), plunger(s) are treated as singular terms). It is not understood what is positively claimed with the limitation "with the original apertured plate being exchangeable for an apertured plate adjusted to the plunger distances and plunger locations of the new handler".

In claim 22, there is insufficient antecedent basis for the limitation "the at least one apertured plate" (lines 1-2). Is "the at least one apertured plate" different from or the same as "one or more apertured plate" recited previously? Furthermore, "can be" (line 3) should be -- is --.

In claim 23, lines 1-2, there is insufficient antecedent basis for the limitation "the at least one locking device" (claim 24 as well).

In claim 24, it is not understood what is meant by "it" (line 1). Is "a tester" (line 3) different from or the same as "a tester" recited previously? Furthermore, "can be" (line 5) should be -- is --.

In claims 25 and 28, line 2, "can be" should be -- is --.

In claim 26, likewise claim 20, it is not understood what is meant by "it" (lines 1 and 3). It is unclear "the single plates" (line 2) referred to which single plates.

In claim 27, likewise claim 19, the limitation "the slidability of the single plates" is unclear because it is not understood which elements (i.e., the single plates for the tester and the handler, the three or more single plates, or all of the single plates) are slidable.

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And likewise claim 20, it is unclear "the single plates" (line 2) referred to which single plates.

In claim 29, is "docking means having two or more parts" shown in the drawings. The docking means (9) is shown in Figs. 1 and 2; however, the two or more parts of the docking means are not clearly shown. Furthermore, is "a tester" different from or the same as "a tester" recited previously?

In claim 31, lines 2-3, it is not understood what is meant by "on the outside to the shape of the recess", "on the inside to the shape of the device under test board". Furthermore, "can be" (line 3) should be -- is --.

In claim 33, line 2, it is not clear what is meant by "on the side of the handler side". Furthermore, the limitation in the parentheses is not given weight (i.e., plunger(s) is treated as a singular term).

In claim 34, there is insufficient antecedent basis for the limitation "the one or more single plates" (line 2). Furthermore, "can be" (line 2) should be -- is --. It is not understood what is meant by "the area on the side of the handler of the contact base of the tester" (line 3).

Claims 30 and 32 are rejected since they depend on rejected base claims.

9. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 18-19, and 27-29 as best understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Chiu et al. (U.S.P. 6,756,800).

As to claim 18, Chiu et al. disclose, in Fig. 4, a mounting plate (106, 218, 340, 210) having one or more parts for indirectly or directly attaching a tester (310) for electronic components on the one side (i.e., lower side of the mounting plate) and a handler (100) for electronic components on the other side (i.e., upper side of the mounting plate), the mounting plate (106, 218, 340, 210) comprising at least a single plate (210) on the side of the tester (310) and a single plate (106) on the side of the handler (100) or three or more single plates (106, 218, 340, 210) which are slidable against each other in the x direction and/or in the z direction and are lockable.

As to claim 19, Chiu et al. disclose in Fig. 4, the slidability of the single plates (106, 218, 340, 210) of the mounting plate (106, 218, 340, 210) against each other is effected by sliding guides (216 and linear rails parallel to rails 216).

As to claim 27, Chiu et al. disclose in Fig. 4, the slidability of the single plates (106, 218, 340, 210) against each other is performed manually.

As to claim 28, Chiu et al. disclose in Fig. 4, on the single plate (210) on the side of the tester (310) one or docking devices (412a, 412b) is reversibly or irreversibly mounted for attaching and positioning the tester (310) to the single plate (210) on the side of the tester (310).

As to claim 29, Chiu et al. disclose in Fig. 4, the single plate (210) on the side of the tester (310) includes two bores (not shown) without threads, structures, adapters, hooks or connecting links for reversibly attaching docking means (412a, 412b) having two or more parts (412a, 412b) or for directly attaching a tester (310).

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Ames	5,654,631	Vacuum Lock Handler And Tester Interface For Semiconductor Devices.
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Orsillo	6,741,072	Docking System For Connecting A Tester To A Probe Station Using An A-Type Docking Configuration.
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### ***Communication***

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh N. Tang whose telephone number is (571) 272-1971. The examiner can normally be reached on M-F (7:00-3:30).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael M. Fahmy or Robert Pascal can be reached on (571) 272-1705 or



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(571) 272-1769, respectively. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
MINH NHUT TANG  
PRIMARY EXAMINER  
4/26/06